



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,787	12/15/2000	Willard F. Fougere		8899

7590

08/28/2002

Frank A. Lukasik
1250 West Marion Avenue, Unit #142
Punta Gorda, FL 33950

Fax 941 575 2995

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT PAPER NUMBER

2675

DATE MAILED: 08/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/736,787

Applicant(s)

WILLARD FOUGERE

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiles et al (US 5,743,533).

As to dependent claim 1, Wiles et al disclose in col. 2, lines 38-59 , a system for keeping the scores of single and multiple players playing the various games of darts, said system comprising,

a case (Fig. 1, item 12),

said case having a front face (Fig. 1, item 24, col. 3, lines 4-23),

Wiles et al disclose in Fig. 1, a front face having display windows (26, 28, 30 and 32), corresponding to the number of players for their score. In col. 4, lines 19-31, Wiles et al discloses a plurality of keys. Although, Wiles et al does not disclose the number keys, it would have been obvious to one of ordinary skill in the art that number keys could have also been present as the number of players needs to be entered. Wiles et al show where the display is a three digit, although to one of ordinary skill in the art, Wiles et al display could have easily been adapted to be that of a four digit display.

electronic circuitry means for connecting and controlling said display windows, said number keys and said keypads (col. 2, line 60-col. 3, line 3),

Art Unit: 2675

said circuitry means being programmed for activating and scoring a plurality of dart score games, providing control over input errors, allowing scorekeepers to recall previous scores and making other corrections in the score displays (col. 3, lines 4-23).

3. Claims 2 and 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Wiles et al as applied to claim 1 above, and further in view of Martin et al (US 6,279,912).

As to independent claim 3, limitations of claim 1, and further comprising, wherein said keypad comprises a four column by five row across point matrix configuration for generating a numeric value/function command, Wiles does not disclose where the keypad comprises a four column by five row across point matrix configuration. It would have been obvious to one of ordinary skill in the art that a keypad can be configured to the matrix required by a user and further, also obvious to one of ordinary skill in the art, most keypad are configured to a four column by five row matrix is demonstrated by a computer keyboard.

said electronic circuitry means having a microprocessor, Wiles et al disclose a game computer (16). It would have been obvious to one of ordinary skill in the art that a microprocessor is part of a computer.

said microprocessor comprises processing firmware, a read only memory, programmed to contain the instructions in the source code list, and a microprocessor data/command input-output generator and computational device, Wiles et al disclose a game computer (16). It would have been obvious to one of ordinary skill in the art that a computer comprises a microprocessor, a read only memory, input/output generator and computational device. Col. 2, lines 45-51, discloses a score detector, which computes or tallies the score for a hit per player.

Art Unit: 2675

Wiles et al do not disclose where the display windows comprise a seven segment light emitting diode arrays. Martin et al disclose a method and apparatus for electronic dart games comprising a display (Fig. 1, item 108), keypads (Fig. 1, item 110), memory (Fig. 2, item 204) and processor (Fig. 2, item 202). Martin et al in col. 3, lines 13-22, disclose where the display can be comprised of light emitting diodes. It would have been obvious to one of ordinary skill in the art to combine the display of Martin et al into that of Wiles et al. Wiles et al does not disclose the type of display to be used, therefore it could have been possible to incorporate an LED type of display as shown by Martin et al as both systems are similar electronic dart board games with electronic scoring and displays.

As to dependent claim 2, see limitations set forth in claim 3, above.

Conclusion

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-6606 (for informal or draft communications, please label

“PROPOSED” or DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,

Arlington, VA, Sixth Floor (Receptionist)

Art Unit: 2675

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575. The examiner can normally be reached on 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9314 for regular communications and 703 308 9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 4700.

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
August 25, 2002


CHANH NGUYEN
PRIMARY EXAMINER